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REMARKS

Claims 1 - 17 are currently pending in the application. By this amendment, claims 1, 5, 6, 9 and 17 are amended for the Examiner's consideration, and should now be in *prima facie* condition for allowance. The foregoing separate sheets marked as "Listing of Claims" shows all the claims in the application, with an indication of the current status of each.

It is noted that the rejection of claims 1 - 7 and 9 - 15 under 35 U.S.C. 103 (a) as being unpatentable over Hsing et al. in view of Gajraj have been withdrawn in view of the previously submitted amendment. In addition, the rejection of claims of 8 and 16 under 35 U.S.C. 103 (a) over Hsing in view of Gajraj and further in view of Carter have been withdrawn.

Independent claims 1, 9, and 17 have been amended to more clearly specify the use of computing resources for performing the method of translating the documents. Claim 1 refers to the actual method used to perform the translation. The phrases, "in electronic format" and "using computing resources" have been added to the claim to highlight those steps which are performed using the technological arts. This amendment does not constitute new matter as the reference to using computing resources is included throughout the specification. Most specifically, on page 2, **Summary of the Invention**, the specification states as an objective to, "provide a user controllable data grouping method and system that can be embedded in a translation algorithm, or run as a standalone transformation." It is easily understood by those skilled in the art that embedding a method within an algorithm implies the use of computing resources and the concept of "...run as a standalone..." is common language for describing computer processing of a method. Furthermore, the use of terms such as "parsed," "file format," and "automatically defined" are phrases commonly used by those in the computing arts to describe documents that are manipulated by computing resources. In addition, on page 5, lines 21 - 25 refer to a

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tool that displays the DTD (for XML), or the map (for EDI). This display of electronic formatted documents can only be done using computing resources. Presenting the document as a paper copy would not satisfy the intent and requirements of the invention which state that the document is to be displayed in the named electronic formats. Additionally, the phrase, "user may click" is a commonly used term within the computer technological arts to suggest the use of a mouse and other computing resources to perform the functions relative to the document translation. Finally, page 9, line 3 - 7, clearly state the intent for the invention to be "...implemented as a program running on a general purpose computer.... instructions stored or embodied in a computer program..." Thus, claims 1, 5, 6, 9 and 17 have been amended to clearly state the intended embodiment; that is, to use computing resources for the documents processed in electronic formats.

Claims 1 - 17 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. This rejection is traversed.

The Examiner has stated that the claims have not been written to include limitations in the technological arts. The claims have been amended to include specific reference to the use of computer resources and electronic document formats.

With regard to claim 17, the language of the claim has been amended to specifically state that it is a computer resource that is using the computer readable program code to process the document translation steps.

With these amendments, the claims should now be in *prima facie* condition for allowance.

Claims 1 - 7 and 9 - 15 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Hsing et al. (2002/0023113) in view of Gajraj (2002/0002566) and Pasetes Jr. et al. (US 5,202,977). This rejection is traversed.

The Examiner has acknowledged that Hsing US 2002/0023113 A1 does not provide the features of the subject invention. Specifically, as stated by the Examiner, Hsing, "... does not explicitly disclose identifying ambiguities within a structural document to include data loops that are not marked as loops; data loops grouping options defined by a user; and generating a modified hierarchical tree structure in accordance with the grouping options." The Examiner has acknowledged in the office action that the rejection of the under 35 U.S.C. 103 (a) as being unpatentable over Hsing et al. in view of Gajraj have been withdrawn in view of the previously submitted amendments. Thus, the Examiner has acknowledged that neither Hsing nor Gajraj, either together or individually provide the features of the subject invention.

The Examiner now contends that Pasetes Jr. (5,202,977) provides the feature of identifying beginning and ending of loops that are not marked as loops. This is not correct. Pasetes does not show how to handle "data loop grouping defined by a USER". Actually Pasetes' approach at best has "data loop grouping defined in the standard document", which is a fixed document and does not have sorting and mixing elements capability. Pasetes' "...pattern matching capability that can read a fairly large set of patterns..." (col. 7, lines 60) shows the pattern matching is in the READING process, not in the TRANSLATION process. There are no grouping options (diversification and identity) defined by the users. Furthermore, the references cited in Pasetes (col. 7, lines 64-68; col. 15, lines 64 - col. 16, lines 15; col. 20, lines 3-41) does not show how to handle "data loop grouping defined by a USER". There is no mention of "data loop grouping" in the pages and columns the examiner's provided.

With respect to claim 1, the feature of the claim is to generate a hierarchical tree structure for each document to be translated. The paragraphs referenced by the Examiner do not speak to generating a hierarchical tree structure. Hsing's mapping from database (Fig. 2a) to XML (Fig. 2b) is straightforward line-by-line translation.

It does not include the user grouping options. Also, the sorting is for event change history or commands, not related to the XML document translation. The fact that there is a hierarchical structure to the rules in the tables for a specific document type definition (DTD) is not the same as generating a hierarchical tree structure for each document that is being translated

The Examiner has already acknowledged that any combination of Hsing with Gajraj would not result in the subject invention. With the argument presented above, specifically, that Pasetes does not provide the data loop grouping in the translation process, the features of this claim are not anticipated or made obvious by Pasetes, and no combination of Hsing, Gajraj and Pasetes would make the claims obvious since none of the references includes the features noted above.

All claims which depend from claim 1, as well as independent 9 (which is a system claim analogous to claim 1, would not be obvious over a combination of Hsing, Gajraj, and Pasetes for the same reasons.

In addition, with particular respect to claim 2, Gajraj, as discussed above does not generate a hierarchical tree structure but rather uses mapping tables. The process of translating the document using the method of the subject invention is significantly different from the process of converting the document as described by Gajraj. Thus, Gajraj cannot group together child nodes and branches as it does not form the tree structure. Therefore, the features of this claim are not anticipated or made obvious by Gajraj.

With respect to claim 3, the tag information of the subject invention is relative to the data within the document. As seen in Figures 1 and 2 of the subject invention, the tags and sub-tags are relative to the actual data types. That is N1 is a name element while Gajraj simply numbers the attributes as A1, A2, A3... as shown in Figure 15. These Ids are not tags or sub-tags but just sequential number scheme to help structure the mapping tables. They are not nodes or tags as in the hierarchical

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tree structure of the subject invention. Therefore, the features of this claim are not anticipated or made obvious by Gajraj.

With respect to claim 4 -7, these claims all depend from claim 1 and as such, are unique due to the intermediate tree structure. Hsing, Gajraj, and/or Pasetes do not discuss the use of an intermediate tree which assigns tags for the translation and then removes the tags for the final tree structure as does the subject invention. Thus, the concept of sub-tree tags in claim 4 is relative to the intermediate tree feature used to address the looping ambiguity of claim 1 and the two-columned table used to define the rules for sorting is also relative to the intermediate tree structure. Claim 5 discusses the Document Object Model (DOM) relative to the intermediate tree structure. Claim 6 specifically cites the use of the interim tree structure which is not a feature of either Hsing or Gajraj. Thus claims 4 through 7 are not obvious over Hsing, Gajraj, and/or Pasetes. Therefore, the features of this claim are not anticipated or made obvious by Pasetes.

As for claims 9 - 15, as noted by the Examiner, these claims are relative to the system for performing the method of claims 1 - 7 and 8, respectively. As such, these claims are also unique for the same arguments as discussed above. Therefore, the features of this claim are not made obvious by any combination of Hsing, Gajraj, and/or Pasetes

Claims 8 and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hsing in view of Gajraj and Pasetes as applied to claim 1 and in further view of Carter US 5,878,419.

Carter US 5,878,419 does not generate a hierarchical tree structure. The identification of the loops with or without tags is relative to claim 1 and claim 9 upon which claims 8 and 16 depend, respectively. As discussed above, neither Hsing, Gajraj, Pasetes nor Carter, independently or in combination generate the hierarchical tree structure of the subject invention. Therefore, the features of this claim are not anticipated or made obvious by the addition of Pasetes.

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In view of the foregoing, it is requested that the application be reconsidered, that claims 1 - 17 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: Mike@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account 50-0510 (IBM-Yorktown).

Respectfully submitted,



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